

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 16, No. 42 October 16, 1997 Pages 1689-1718

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State Banking Board

Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, November 17, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 et seq.

W. Newton Male State Bank Commissioner

Doc. No. 019772

State of Kansas Legislative Division of Post Audit

Invitation for Bids

Sealed bid proposals in response to Legislative Division of Post Audit invitations for bids on audit work will be received until 2 p.m. Monday, October 27. The invitations cover the following financial-compliance audit work:

- State Government of Kansas (Statewide Single Audit) and Related Audit Work
- Kansas Public Employees Retirement System
- Kansas Lottery
- Kansas Racing and Gaming Commission

Copies of the invitations for bids may be obtained from the Legislative Division of Post Audit, 800 S.W. Jackson, Suite 1200, Topeka, 66612, (785) 296-3792.

> Barbara J. Hinton Legislative Post Auditor

Doc. No. 019792

State of Kansas

Board of Pharmacy

Notice of Meetings

The Kansas State Board of Pharmacy will meet at 8 a.m. Friday, November 21, and Saturday, November 22, at the Clubhouse Inn, 924 S.W. Henderson, Topeka. The meetings are open to the public. For additional information, call (785) 296-6504.

Larry Froelich Executive Director

Doc. No. 019773

State of Kansas

Governor's Blue Ribbon Commission for the Public Health Improvement Plan

Notice of Meeting

The Governor's Blue Ribbon Commission for the Public Health Improvement Plan will meet from 9 a.m. to 3:30 p.m. Thursday, November 6, at the AmeriSuites Hotel, Topeka. For more information, contact Carolyn Duwe, Kansas Department of Health and Environment, Landon State Office Building, Room 620, 900 S.W. Jackson, Topeka, 66612-1290, (785) 296-0461 (Kansas Relay Center, 1-800-766-3777).

Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Carolyn Duwe.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 019787

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Register Office: Room 233-N, State Capitol (785) 296-3489 Fax (785) 291-3051

Board of Indigents' Defense Services

Notice of Meeting

The State Board of Indigents' Defense Services will meet at 2 p.m. Tuesday, October 21, in the board conference room. State Board of Indigent's Services, 714 S.W. Jackson, Suite 200, Topeka. Any individual with a disability may request accommodation in order to participate in the meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Carol Alexander at (785) 296-4505. For additional information, contact the State Board of Indigents' Defense Services.

> J. Patrick Lawless, Jr. **Acting Executive Director**

Doc. No. 019774

State of Kansas

Department of Transportation

Notice of Public Auction

 The Kansas Secretary of Transportation will offer for sale at public auction at site at 10 a.m. November 19 the following tract of land located on the south side of 15th Street just west of I-35 near the City of Ottawa, Franklin County, Kansas, described as follows:

4.67 acres more or less in the Northeast Quarter of Section 7, Township 17 South, Range 20 East. Prospective bidders should note access control restrictions and easement reservations for existing utilities. A complete legal description is available upon request.

In the event of inclement weather, the auction will be at 10:30 a.m. November 19 in the Ottawa KDOT office, 3182 K-68 (1/2 mile east of I-35).

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin. A minimum acceptable bid has been established.

Terms of the Sale:

Certified check or cashier's check for 10 percent of the purchase price the day of the sale. The balance of the purchase price will be paid by certified check or cashier's check on or before December 19, 1997. (Make check(s) payable to "Kansas Department of Transportation.") The successful bidder will receive a bill of sale on the day of sale and a quitclaim deed when the balance is paid. If the balance of the purchase price is not paid on or before December 19, 1997, the 10 percent down payment will be forfeited to the seller.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information, contact Fred Terry, Bureau of Right of Way, (785) 296-3501.

> E. Dean Carlson Secretary of Transportation

State of Kansas

Kansas Water Authority

Notice of Meetings

The Kansas Water Authority will meet October 22-24 at the headquarters of the Kansas Geological Survey, 1930 Constant Ave., Campus West, Lawrence.

The Basin Advisory chairpersons will meet at 7 p.m. October 22. The Planning and Management and the Education committees will meet concurrently at 8 a.m. October 23, and the Conservation and Marketing and the Water Quality committees will meet at 2 p.m. October 23. The full Authority will convene at 8:30 a.m. October 24 to conduct its regular business session.

For more information, contact the Kansas Water Office, 109 S.W. 9th, Suite 300, Topeka, 66612-1249, 1-888-KAN-WATER (toll free), TTY: (785) 296-6604.

If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at least five days prior to the meeting date.

> Kent Lamb Chairman

Doc. No. 019781

State of Kansas

Department of Revenue

Notice of Policy Change

On August 27, 1997, the Policy Council met to determine a policy change regarding the application of payments to past due accounts. The change is set out below.

Issue:

Should the application of payments to past due accounts be applied to tax liability first, interest second, and penalty last?

Policy Council Decision:

The Policy Council has determined that effective with the implementation of the new integrated tax system, the application of payments to past due accounts will be assigned to tax liability first, interest second, and penalty last. Current programs will not be changed.

Reason for Policy Change:

The number one reason to change the policy on application of past due payments is to bring Kansas more in line with its neighboring states and with the IRS. The states surrounding Kansas and the IRS all apply payments for past due accounts to tax liability first and then to interest and penalty.

For further information, contact Shirley K. Sicilian, Director, Office of Policy and Research, Kansas Department of Revenue, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588, (785) 296-3081.

> John D. LaFaver Secretary of Revenue

Doc. No. 019790

Kansas, Inc.

Notice of Meeting

The Kansas, Inc. Board of Directors will meet at 1 p.m. Thursday, October 23, at the University of Kansas, Adams Alumni Center, 1266 Oread Ave., Lawrence. The meeting is open to the public.

> Charles R. Warren President

Doc. No. 019763

State of Kansas

Department of Administration **Division of Purchases**

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, October 27, 1997

31949 Supp.

Regents Universities—Telecommunication equipment and supplies

32216 Supp.

Department of Social and Rehabilitation Services, Kansas Industries for the Blind—Laser printer cartridge components

32568 Rebid

Adjutant General's Department—Inspection and testing of fire alarm system, Wichita 32756

Department of Corrections facilities—Embroidered emblems

32757

Kansas Correctional Industries—Broadcloth and poplin

Fort Hays State University-Inkjet printer and rip Tuesday, October 28, 1997.

Wichita State University—Wireless microphone system

University of Kansas—A/V video equipment 6742

Kansas State University—Non-linear editing system hardware/software

Wednesday, October 29, 1997

6713

Department of Transportation—Crushed limestone rock (Winfield)

Department of Transportation—Anti-icing chemical storage and dispensing systems, various locations

6715

Department of Transportation—Shoulder material spreader, Garden City

6716

Department of Transportation—Brush chipper, Chanute

El Dorado Correctional Facility-Backhoes and

Thursday, October 30, 1997

32758

Statewide—Soft concealable body armor 6718

Norton Correctional Facility—Commercial clothes drvers

Kansas State University—Pagers 6727

University of Kansas—Light fixtures 6728

Department of Human Resources—Safety instruments

Friday, October 31, 1997

32511 Rebid, Version 2 Department of Administration, Division of Facilities Management—Pest control services

6731 1500 A. A.

Kansas Wheat Commission—Mini passenger van 6732

Department of Transportation—Crouse-Hinds replacement components, Chanute

Department of Wildlife and Parks—Notebook computers

6734 El Dorado Correctional Facility—Concrete materials 6735

El Dorado Correctional Facility—Ductile iron pipe and materials

Kansas State University—Furnish and install fire alarm system 6740

Department of Transportation—Furnish and install microwave system, various locations

Tuesday, November 4, 1997

A-8323

Kansas State University—Windows replacement, Dickens Hall

A-8407

University of Kansas—Reroof Burt Hall

A-8408

University of Kansas—Tuckpointing, Lippincott Hall

Wednesday, November 5, 1997

Kansas State University—Furnish and install paging system

> John T. Houlihan Director of Purchases

Criminal Justice Coordinating Council Notice of Meeting

The Kansas Criminal Justice Coordinating Council will meet from 1 to 3 p.m. Monday, October 20, in the Fatzer Courtroom, third floor, Kansas Judicial Center, 301 W. 10th, Topeka.

Barbara S. Tombs Executive Director

Doc. No. 019764

(Published in the Kansas Register October 16, 1997.)

Sedgwick County, Kansas Shawnee County, Kansas

Notice of Public Hearing on Proposed Issuance of Single Family Mortgage Revenue Bonds

Public notice is hereby given that Sedgwick County, Kansas, and Shawnee County, Kansas (jointly, the issuers), will conduct public hearings with respect to the proposed issuance by the issuers of approximately \$60,000,000 of Single Family Mortgage Revenue Bonds (Mortgage-Backed Securities Program) at the following times and locations:

Date:

October 22

Time:

9 a.m.

Location:

Sedgwick County Courthouse

525 N. Main

Commission Meeting Room, 3rd Floor

Wichita

Date:

October 23 9 a.m.

Time: Location:

Shawnee County Courthouse

Commission Chambers

200 S.E. 7th Topeka

The proceeds of such bonds will be utilized to purchase securities that are backed by qualified home mortgage loans made to persons and families of low and moderate income (first-time homebuyers) residing within the unincorporated areas of Sedgwick County, Kansas, and Shawnee County, Kansas, and within the corporate limits of certain cities and the unincorporated areas of certain counties in Kansas that enter into cooperation agreements with one or both of the issuers.

All persons having an interest in the subject matter of the hearing will be given an opportunity to be heard at the times and places specified above. Written comments also may be submitted to the issuers: Sedgwick County Clerk, County Courthouse, 525 N. Main, Wichita, KS 67203; or Shawnee County Clerk, County Courthouse, 200 S.E. 7th, Topeka, KS 66603.

Dated October 6, 1997.

Sedgwick County, Kansas By: James Alford, County Clerk Shawnee County, Kansas By: Cynthia A. Beck, County Clerk State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, December 19, in Room 1051, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed regulations on a permanent basis. This 60day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to Greg Reser, Director, Hospital and Medical Programs, Department of Health and Environment, Landon State Office Building, Suite 1001, 900 S.W. Jackson, Topeka, 66612-1290. All interested parties will be given a reasonable opportunity to present their views orally or in writing on the adoption of the proposed regulations during the hearing. Following the hearing, all written and oral comments submitted by interested parties will be considered as a basis for making changes in these proposed regulations.

Risk Management Regulations

These regulations provide further guidance to medical care facilities implementing provisions of K.S.A. 65-4922. Risk management programs in medical care facilities have been developed over the past decade and reflect basic standards of a risk management program. The regulations are proposed to provide further information to new facilities and risk managers related to implementation of K.S.A. 65-4921 et seq.

K.A.R. 28-52-2. This regulation provides further guidelines to medical care facilities in handling the submittal, receipt, logging and storage of risk management incident reports referenced at K.S.A 65-4922(a)(3).

K.A.R. 28-52-3. This regulation defines the structure and role of risk management committees.

K.A.R. 28-52-4. This regulation clarifies the statutory definition of "reportable incident" determinations and requires risk management committees to document those determinations. The regulation allows committees to designate primary review clinicians if their decisions are upheld and documented by the designated committee.

There has been no significant economic impact identified as a result of the proposed regulations.

Copies of the regulations and the economic impact statement may be obtained by contacting Lucy Hrenchir, KDHE, (785) 296-1241.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and fiscal impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Greg Reser at (785) 296-3362.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 019770

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 20 through November 2:

Date	Room	Time	Committee	Agenda
October 20	529-S	10:00 a.m.	Subcommittee—Legislative Post Audit	Legislative matters.
October 20 October 21	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on Economic Development	Presentations on economic development tax abatements and economic development agency annual reports. Committee discussion and possible action on tax abatements and other previously discussed issues.
October 20 October 21	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by the Consumer Credit Commissioner, Dept. of Wildlife and Parks, Dept. of Revenue, Real Estate Appraisal Board, Racing and Gaming Commission, Kansas Parole Board, KDHE, Board of Emergency Medical Services, Board of Healing Arts, Pooled Money Investment Board, Securities Commissioner and Corporation Commission.
October 21 October 22	519-S 519-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Telecommunications; report on qualified admissions; report on Joint Advisory Committee on Governance; other matters.
October 22	123-S	10:00 a.m.	Legislative Budget Committee	University of Kansas Medical Center; Dept. of Wildlife and Parks long-range funding needs and review of the recommendations of the "Task Force on Outdoor Kansas."
October 22	531-N	10:00 a.m.	Joint Committee on Computers and Telecommunications	Information technology reports and plans from SRS, KDHR and KDOR.
October 22 October 23	514-S 514-S	12:30 a.m. 9:00 a.m.	Special Committee on Assessment and Taxation	22nd: Committee discussion and possible action on Proposals No. 2, 4 and 5; review of bill draft and fiscal note re: Proposal No. 8— Income Tax. 23rd: Committee discussion and possible action on Proposals No. 3 and 6; review of concurrent resolution draft re: Proposal No. 7—Limiting Assessed Valuation Growth.
October 23 October 24	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Agenda unavailable.
October 23 October 24	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Education	Special education.
October 27 October 28 October 29 October 30 October 31	313-S 313-S 313-S 313-S 313-S	10:00 a.m. 9:00 a.m. 9:00 a.m. 9:00 a.m. 9:00 a.m.	Task Force on Retail Wheeling	Hearings on proposed electric utility restructuring.
October 28 October 29	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda unavailable.
October 28 October 29	On Tour 526-S	9:00 a.m. 9:00 a.m.	Special Committee on Tourism	Agenda unavailable.

October 28	529-S	9:00 a.m.	Health Care Stabilization Fund Oversight Committee	Agenda unavailable.
October 29	123-S	10:00 a.m.	Task Force on the Kansas Insurance Industry	Agenda unavailable.
October 30 October 31	514-S 514-S	10:00 a.m. 9:00 a.m.	Special Committee on Child Support Enforcement Oversight	Agenda unavailable.

Emil Lutz Director of Legislative Administrative Services

Doc. No. 019785

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. KN Gas Gathering, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install three natural gas compressor engines. Emissions of oxides of nitrogen, carbon monoxide and volatile organic compounds were evaluated during the permit review process.

KN Gas Gathering, Inc., Lakewood, Colorado, owns and operates the stationary source located at \$30-T26S-R36W, Lakin, Kansas, at which the three compressor en-

gines are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close

of business November 17.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 17 in order for the Secretary of Health and Environment to consider the request.

> Gary R. Mitchell Secretary of Health and Environment

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. KN Gas Gathering, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install three natural gas compressor engines. Emissions of oxides of nitrogen, carbon monoxide and volatile organic compounds were evaluated during the permit review process.

KN Gas Gathering, Inc., Lakewood, Colorado, owns and operates the stationary source located at S16-T27S-R37W, Ulysses, Kansas, at which the three compressor

engines are to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close

of business November 17.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 17 in order for the Secretary of Health and Environment to consider the request.

> Gary R. Mitchell Secretary of Health and Environment

Doc. No. 019779

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. November 4 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Dan Riley, Assistant General Counsel, (785) 271-3159. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Be-

fore the Commission.'

Application for Certificate of Public Service:

Arrowhead Tow, L.L.C., 1004 S. Broadway, Louisburg, KS 66053; MC ID No. 153812; Andrew Sears, Attorney; wrecked, disabled, repossessed and replacement vehicles.

Darrel E. Boyd, dba Boyd Trucking, 432 21st Road, Beattie, KS 66406; MC ID No. 153813; General commodities, except household goods and hazardous materials.

Mike DePratt, dba Mike's Collision Center, 321 S. Magnolia, Columbus, KS 66725; MC ID No. 153818; Wrecked, disabled, repossessed and replacement ve-

Dan Gobin, dba Proline Ag Service, 609 N. 8th, Hill City, KS 67642; MC ID No. 153815; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Douglas W. Jeanneret, dba JTL, Route 1, Box 184, Centralia, KS 66415; MC ID No. 153819; William Barker, Attorney; General commodities (except household

Kroger Dedicated Logistics Co., 1014 Vine St., Cincinnati, OH 45202; MČ ID No. 153816; W. Robert Alderson, Attorney; General commodities (except household goods, Classes A and B explosives and hazardous materials).

Application for Certificate of Convenience and Necessity:

B & B Transfer, Inc., 17390 Dillie Road, Gardner, KS 66030; MC ID No. 153817; Frank Taylor, Jr., Attorney; General commodities.

William J. Farlow, dba Farlow Moving Service, Route 3, Box 421, Independence, KS 67301; MC ID No. 153814; William Barker, Attorney; General commodities (except hazardous materials).

Application for Transfer of Certificate of **Public Service:**

William D. Level, dba B & C Towing/B & C Body Shop, 406 Barclay Ave., WaKeeney, KS 67672, MC ID No. 153445, to: Steven L. Schoenthaler, dba B & C Towing, Route 2, Box 22, WaKeeney, KS 67672; Wrecked, disabled, repossessed and replacement vehicles.

Application for Abandonment of Convenience and Necessity:

Jimco Charters, Inc., 1850 K-18 Highway, Bennington, KS 67422; MC ID No. 122314.

> Don Carlile Administrator Transportation Division

Doc. No. 019784

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Williams Pipe Line Company has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of hazardous air pollutants were evaluated during the permit review process. The purpose of this permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Williams Pipe Line Company, Tulsa, Oklahoma, owns and operates the stationary source located at 401 E. Don-

ovan Road, Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wyandotte County Health Department, Department of Air Quality, 619 Ann Ave., Kansas City. To obtain or review the proposed permit and supporting documentation, contact Michael E. Lewis, (913) 573-6700, at the Wyandotte County Health Department, or Connie Carreno, (785) 296-6422, at the KDHE. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael E. Lewis, Wyandotte County Health Department, Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. Written comments must be received by the close of business November 17 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620, not later than the close of business November 17 in order for the Secretary of Health and Environment to consider the request.

> Gary R. Mitchell Secretary of Health and Environment

Office of Judicial Administration Supreme Court Docket

(Note: Dates and times of arguments are subject to change.)

Monday, October 27, 1997

9:00	a.m.

Case No.	Case Name	Attorneys	County
73,344	Kimberly R. Cox, Appellant,	Gerard C. Scott	Sedgwick Petition for Review
	Paul Lesko, M.D., Appellee.	Lee Woodard	
77,959	Jerald D. Hare, Appellant,	Carston C. Johannsen	Johnson
	Christopher K. Wendler, M.D., et al., Appellees.	Paul W. Rebein Victoria Henges	
76,807	State of Kansas, Appellee, v.	Carla J. Stovall, Atty. Gen. Charles R. Reimer, Asst. Dist. Atty.	Sedgwick
	Lyle C. Sanders, Appellant.	Mary Curtis, Asst. Appellate Defender	
77,020	State of Kansas, Appellee, v.	Carla J. Stovall, Atty. Gen. David Lowden, Asst. Dist. Atty.	Sedgwick
	Daniel M. Dias, Appellant.	Rick Kittel, Asst. Appellate Defender	
**************************************	1:	:30 p.m.	
77,867	Marvin Bodine, et al., Appellants,	Stephen P. Weir	Osage
	Osage County Rural Water District No. 7, et al., Appellees.	David E. Bengtson Justice B. King	
78,846	City of Wichita, Kansas, Appellant, v.	Sharon L. Dickgrafe	Sedgwick
	Christine M. Hoppman, Appellee.	Leslie F. Hulnick	
77,718	State of Kansas, Appellant, v.	Carla J. Stovall, Atty. Gen. Charles R. Reimer, Asst. Dist. Atty.	Sedgwick
	Valjean Roseborough, Appellee.	James Brent Getty, Asst. Appellate Defender	
78,097	State of Kansas, Appellant, v.	Carla J. Stovall, Atty. Gen. Charles R. Reimer, Asst. Dist. Atty.	Sedgwick
	Leonard D. Daniels, Appellee.	James Brent Getty, Asst. Appellate Defender	
78,001	State of Kansas, Appellee, v.	Carla J. Stovall, Atty. Gen. Louis A. Podrebarac, County Atty.	Haskell
	David M. Spain, Appellant.	Ronald E. Wurtz	
	Tuesday,	October 28, 1997	
* , *			•

9:00 a.m.

Case No.	Case Name	Attorneys	County
79,284	Anthony A. Cure, et al., Appellants,	C.A. Beier	Hodgeman
4	v.		
	Board of County Commissioners,	Craig S. Crosswhite	
	Hodgeman County, Appellee.		
78,343	Martin Ruddick, Appellee,	Michael L. Snider	Workers
	V.		Comp.
	The Boeing Company, et al., Appellants.	Stephen M. Kerwick	The state of the s
76,313	Jamie D. Roberts, Appellant,	Chris Miller	Workers
/ -	V.		Comp.
	J.C. Penney Company, et al., Appellees.	James C. Wright	Petition for Review
78,820	State of Kansas, Appellant,	Amelia J. McIntyre	Linn
78,821	v. • • • • • • • • • • • • • • • • • • •		
	Maryl McAffry, Appellee.	Jesse T. Randall	

(continued)

	Barrier Barrier Barrier	1:30 p.m.	en de la companya de La companya de la co
78,259	Dale F. Jenkins Revocable Trust, Appellant,	Frank H. Jenkins, Jr.	Johnson
	v. Allen A. Newell, Appellee.	Joseph R. Borich III	
76,539	State of Kansas, Appellee,	Carla J. Stovall, Atty. Gen.	Wyandotte
	v. Michael A. White, Appellant.	Nick A. Tomasic, Dist. Atty. Rebecca E. Woodman, Asst. Appellate Defender	
77,333	State of Kansas, Appellant,	Carla J. Stovall, Atty. Gen.	Saline
50 F50	Jeremy L. Weiland, Appellee.	Julie A. McKenna, County Atty. Richard M. Blackwell	
78,573	State of Kansas, Appellant, v. Robert W. Gaylord, Appellee.	Carla J. Stovall, Atty. Gen. Julie A. McKenna, County Atty. William Hermesmeyer	Saline
	in the control of the	Same to the second of the seco	
		y, October 29, 1997 9:00 a.m.	entre de la companya
Case No.	Case Name	Attorneys	County
75,703	Michael G. Nance, Appellant,	Steven L. Foulston	Workers
	Harvey County, et al., Appellees.	James A. Cline	Comp. Petition for Review
75,375	State of Kansas, Appellee,	Carla J. Stovall, Atty. Gen.	Wyandotte
	Sheryl M. Lewis, Appellant.	Nick A. Tomasic, Dist. Atty. Barry G. Albin	Petition for Review
77,578	State of Kansas, Appellee,	Carla J. Stovall, Atty. Gen.	Wyandotte
	Kenneth Leek, Appellant.	Nick A. Tomasic, Dist. Atty. Hazel Haupt, Asst. Appellate Defender	
77,660	State of Kansas, Appellee, v. Barry Clark, Appellant.	Carla J. Stovall, Atty. Gen. Nick A. Tomasic, Dist. Atty. Debra J. Wilson, Asst. Appellate Defender	Wyandotte
	。 1987年 - 1987年 - 1985年 - 1987年 -		
76,192	Alberta Brumley, et al., Appellants,	[:30 pim. com in about the about the list of the list	
.0,152	where $\hat{\mathbf{v}}_{i}$ is the $\hat{\mathbf{v}}_{i}$ and $\hat{\mathbf{v}}_{i}$ in $\hat{\mathbf{v}}_{i}$, $\hat{\mathbf{v}}_{i}$ is $\hat{\mathbf{v}}_{i}$.	Scott C. Nehrbass	Johnson Petition for Review
77,721	David Wayne Lee, et al., Appellees. Phillip W. Stanfield, Appellant,	Paul Hasty, Jr. Don W. Noah	Osborne
	v. Osborne Industries, Inc., et al., Appellees.	James D. Oliver	n de la companya siyan da karan da kar Baran da karan da ka
77,110	State of Kansas, Appellee,	Carla J. Stovall, Atty. Gen.	Barton
	Guadaloupe Zamora, Appellant.	Libbie A. Moore, County Atty. Ezra Ginzburg, Asst. Appellate Defender	
78,399 78,400	Larry Wayne Stone, Appellant,	Alan C. Goering	Barber
.0,100	City of Kiowa, Appellee.	Alan L. Rupe	
	Thursday,	October 30, 1997	
		9:00 a.m.	
Case No. 78,308	In the Matter of Kenneth P. Seck,	Marty M Spyrder Doputy Dieg Admin	County
	Respondent.	Marty M. Snyder, Deputy Disc. Admin. Howard E. Bodney Kenneth P. Seck, Pro Se	Original
79,133	In the Matter of Leander P. Hamilton, Respondent.	Stanton A. Hazlett, Acting Disc. Adm. Leander P. Hamilton, Pro Se	Original
79,237	In the Matter of James Lee Farmer, Respondent.	Stanton A. Hazlett, Acting Disc. Adm. Clifford A. Cohen	Original
		James Lee Farmer, Pro Se	

Original

Stanton A. Hazlett, Acting Disc. Adm.

	Respondent.		Berscheidt Durr, Pro Se
	Summary Dispos	ition—No O	ral Argument
78,486	State of Kansas v. Terry Wilson, a/k/a	78,719	State of Kansas v. Frank B. Reynolds
78,487	Blackmon	78,729	State of Kansas v. Lorenzo M. Harding
78,543	State of Kansas v. Lester J. Smith	78,736	Scott F. Koons v. State of Kansas
78,611	State of Kansas v. Marsha K. Collins	78,770	State of Kansas v. Horace L. Gwyn, Jr.
78,645	Jeffrey Scott Russell v. State of Kansas	78,851	State of Kansas v. Joseph C. Elms
78,666	State of Kansas v. James Barnett	78,858	State of Kansas v. Gary M. Wooten
		×	Carol G. Green Clerk of the Appellate Court

Doc. No. 019766

79,031

State of Kansas Wildlife and Parks Commission

Notice of Hearing on Proposed Administrative Regulations

In the Matter of Philip M. Durr,

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Wednesday, November 19, at the Municipal Building, 119 N. Hersey, Beloit, to consider the approval and adoption of two proposed exempt regulations of the Department of Wildlife and Parks. The public notice for six additional administrative regulations to be considered at the same meeting was published in the Kansas Register September 18, 1997.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. November 19 at the same location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. November 20 at the same location.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Cindy Baugh, commission secretary, at (316) 672-5911. Persons with a hearing impairment may call the TDD service at 1-800-766-3777 to request special accommodations.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed exempt regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations.

During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting, in addition to those whose notice has previously been published, are as follows:

K.A.R. 115-25-6. This proposed regulation establishes hunting unit boundaries, bag limits, application periods and season dates for the 1998 spring turkey hunting season. Under the proposal, the season would open on the second Wednesday in April and continue for 40 days, which constitutes an additional week to the end of the season. Proposed permit and game tag numbers represent no change.

Economic Impact Summary: It is estimated that 21,000 permits and 6,800 game tags will be issued in 1998, representing \$448,000 in revenue. Approximately 148,000 recreational days of hunting could occur, thus providing economic benefit to businesses providing goods and services.

K.A.R. 115-25-14. This proposed regulation establishes the 1998 fishing seasons and limits. Included is a listing of those bodies of water open to trout fishing and the period of time that a trout permit is required. The proposal would add one body of water for trout stocking and fishing, and eliminate another that is no longer being used. The proposal would also newly establish 15" statewide length limits for black bass and for walleye/sauger/saugeye.

Economic Impact Summary: The new water body for trout fishing will provide a new type of fishing opportunity, but is not expected to create additional trout permit sales, and therefore is not expected to have an economic impact. Nor are the statewide length limits anticipated to have an economic impact, as many waters already have posted length limits for these species.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes Chairman

Kansas Sentencing Commission

Notice of Meeting

The Kansas Sentencing Commission will meet from 1:30 to 3:30 p.m. Thursday, October 23, in the Court of Appeals Courtroom, second floor, Kansas Judicial Center, 301 W. 10th, Topeka.

> Barbara S. Tombs **Executive Director**

Doc. No. 019765

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization subject to certain conditions.

Public Notice No. KS-AG-97-232/237

Name and Address	Legal	Receiving
of Applicant	Description	Water
Brookover Cattle Company	SE/4 and SW/4 of	Smoky Hill River
Route 1, Box 98	Sec. 22 and 23.	River Basin
Scott City, KS 67871	T17S, R32W,	
The Army Compton of Control of	Scott County	Carlot Art Carlot

Kansas Permit No. A-SHSC-C001 Federal Permit No. KS-0038016 This is an expansion facility for 24,000 head total (24,000 animal units)

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Staff gauges shall be installed in the two new lagoons before construc-

tion is completed and in all existing lagoons within one year of the issuance of this permit.

Permeability testing shall be done on lagoon #4 and submitted to KDHE before the structure is put into use.

Name and Address of Applicant Dekalb Swine Breeders, Inc., 23179 #5 Road

Plains, KS 67869

Legal Description NW/4. NW/4. NW/4 and SW/4, SW/4, NW/4, and SE/4, SE/4, NW/4 of Sec. 31, T33S, R30W, Meade County

Jan So

Receiving Water Cimarron River Basin

Kansas Permit No. A-CIME-S009

This is a renewal of an existing facility for 700 head (280 animal units) of swine

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Mark Knudson	NE/4 of Sec. 10,	Missouri River
Route 5, Box 83	T4S, R17E,	Basin
Hiawatha, KS 66434	Brown County	

Kansas Permit No. A-MOBR-S014

This is a new facility for 300 head (120 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal	Receiving
Pfenninger Cattle Company	Description SE/4 of Sec. 30.	Water Upper Arkansas
503 E. Road 130	T18S, R31W,	River Basin

Kansas Permit No. A-UASC-CO25 Federal Permit No. KS-0094156 This is an expansion of an existing facility for 3,000 head (3,000 animal units) of beef cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Allen J. Rokey	SW/4 of Sec. 29,	Missouri River
Route 4, Box 252	T1S, R14E,	
Sabetha, KS 66534	Nemaha County	

Kansas Permit No. A-MONM-S007

This is an existing facility for 1,336 (368 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.0 acre inch per acre per year.

Name and Address	Legal Receiving	
of Applicant	Description Water	: '
Royal Beef, Inc.	W/2 of Sec. 30, Smoky Hill River	٠,
11060 N. Falcon	T16S, R33W, Basin	
Scott City, KS 67871	Scott City	

Kansas Permit No. A-SHSC-C007 Federal Permit No. KS-0115673 This is an expansion facility for 55,000 head (55,000 animal units) of beef cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Existing controls meet KDHE requirements.

Public Notice No. KS-97-148/149 have

Name and Address of Applicant Jefferson County Commissioners c/o Debbie Nickels

Waterway Perry Lake Type of Discharge Treated domestic

via unnamed wastewater tributary

P.O. Box 324 Oskaloosa, KS 66066

Kansas Permit No. M-KS56-OO04

Federal Permit No. KS0093807 Location: SE1/4, Section 23, Township 10S, Range 17E, Jefferson County

Facility Name: Jefferson Co. S.D. #7 (Lakeridge Estates)

Facility Description: The proposed action is to issue a new discharging permit for operation of an existing wastewater treatment facility treating domestic wastewater. The facility consists of a two-cell wastewater lagoon. The proposed permit requires the facility to be operated in series during discharging events, construction of a discharge structure and collection system rehabilitation. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant City of Williamsburg 123 W. William P.O. Box 127 Williamsburg, KS 66095

Waterway Marais des Cygnes River via east

Discharge Treated domestic wastewater

Type of

branch Tequa Creek via Mill Creek

Federal Permit No. KS0093203 Kansas Permit No. M-MC50-OO02 Location: Section 13, Township 18S, Range 17E, Franklin County

Facility Description: The proposed action is to issue a new permit for operation of a new wastewater treatment facility treating domestic wastewater. This facility replaces the former mechanical wastewater treatment plant. The facility consists of a three-cell wastewater lagoon. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Public Notice No. KS-ND-97-052/055

Name and Address Legal of Applicant Naco Industries

Location

Type of Discharge Nonoverflowing

3445 W. Jones Ave. Garden City, KS 67846

Finney Company

S3, T24S, R33W,

Kansas Permit No. I-UA14-NP09

Facility Description: The proposed action is to issue a new permit for operation of a wastewater treatment facility. This facility manufactures fittings for PVC pipe. Contact cooling water treated with polyglycol E-400 is directed to a synthetically lined holding lagoon. Water from the lagoon is frequently hauled off-site by a commercial wastewater hauler. The average flow rate to the lined lagoon is 250 gallons/day.

Name and Address of Applicant National By-Products Legal Location SE1/4, S22, T24S, Type of Discharge

Garden City Facility P.O. Box 615 County

R32W, Finney

Nonoverflowing

Des Moines, IA 50303-0615

Kansas Permit No. I-UA14-NP05

Facility Location: 755 S. Farmland Road, Garden City, KS 67846

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. This facility receives dead stock (cattle), skins the carcass and removes internal organs and meat from the carcass for distribution to other processing facilities. About 6,100 gallons per day of wastewater generated from the in-plant drains, truck repair shop and service (tallow blending) building is hauled to the company's Wichita facility for treatment and disposal. The permittee is in the process of closing the existing anaerobic and evaporation lagoons. Domestic wastewater is directed to a septic tank system.

Name and Address of Applicant

Schmidt Industrial Park c/o Gerald Schmidt P.O. Box 2357 Hilton Head, SC 29925

Location NW14, S6, T23S.

Legal

Type of Discharge Nonoverflowing

R1E, Harvey County

Kansas Permit No. C-LA13-NO10

Facility Location: P.O. Box 119, Newton, KS 67114

Facility Description: The proposed action is to issue a new permit for operation of an existing wastewater treatment facility. This facility consists of a two-cell wastewater treatment lagoon system. Only do-mestic wastewater shall be allowed to be discharged to this wastewater treatment facility. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator and upgrade the facility by adding fencing and warning signs.

Name and Address of Applicant City of Manter c/o City Clerk P.O. Box 175 Manter, KS 67862

Legal Location NE1/4, S14, T29S, R42W. Stanton County

Type of Discharge Nonoverflowing

Kansas Permit No. M-CI11-NO01

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility consists of a three-cell lagoon treating domestic wastewater. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments postmarked or received on or before November 15 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-97-232/237, KS-97-148/149 and KS-ND-97-052/055) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination for publication and/ or announcement of the public notice or public hearing is handled by the Kansas Department of Health and En-

vironment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Gary R. Mitchell Secretary of Health and Environment

Kansas Insurance Department

Notice of Change in Pharmacy Network

Pursuant to K.S.A. 40-2,153, the Kansas Commissioner of Insurance is publishing notice that the Principal Health Care Pharmacy Network has notified the Insurance Department of the expansion of the pharmacy network in the service area defined by the following Kansas counties: Butler, Cowley, Dickinson, Greenwood, Harper, Harvey, Kingman, Lincoln, Marion, McPherson, Ottawa, Reno, Saline, Sedgwick and Sumner, effective no earlier than 90 days from October 2, 1997. Questions should be directed to Anne Haught at the Kansas Insurance Department, (785) 296-3071.

Kathleen Sebelius Kansas Insurance Commissioner

Doc. No. 019775

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1996 Supp. 75-4210. These rates and their uses are defined in K.S.A. 1996 Supp. 12-1675(b)(c)(d), and K.S.A. 1996 Supp. 75-4201(l) and 75-4209(a)(1)(B).

10-19-97
Rate
5.43%
5.37%
5.41%
5.59%
5.72%
5.77%
5.85%

William E. Lewis Chairman

Doc. No. 019762

(Published in the Kansas Register October 16, 1997.)

Summary Notice of Bond Sale \$153,000

Harvey County, Kansas General Obligation Bonds, Series 1997-1

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated September 29, 1997, sealed bids will be received by the clerk of Harvey County, Kansas (the issuer), on behalf of the governing body at the county courthouse, P.O. Box 687, Newton, KS 67114, until noon October 27, 1997, for the purchase of \$153,000 principal amount of General Obligation Bonds, Series 1997-1. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof,

except one bond in the denomination of \$8,000. The bonds will be dated November 1, 1997, and will become due on November 1 in the years as follows:

Year	ring of the Tiller (); for the College Gard	Principal Amount
1998		\$ 8,000
1999		15,000
2000		20,000
2001	1,	20,000
2002		20,000
2003	San Branch Commencer	20,000
2004	الغزي مانتسان برات العاب	25,000
2005	and the second of the	25,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning November 1, 1998.

Book-Entry-Only System

The successful bidder may *elect* to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, or a qualified financial surety bond, in the amount of \$3,060 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before November 5, 1997, at DTC or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$180,058,015. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$1,554,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 284-6806, fax (316) 284-6856.

Dated September 29, 1997.

Harvey County, Kansas

god march

(Published in the Kansas Register October 16, 1997.)

Summary Notice of Bond Sale City of Hugoton, Kansas \$275,000*

General Obligation Bonds, Series 1997

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Sealed bids will be received (in the manner described in the notice of bond sale dated October 15, 1997) by the city clerk of the City of Hugoton, Kansas, on behalf of the governing body at City hall, 114 E. 5th, Hugoton, KS 67951, until 11 a.m. Monday, October 27, 1997, for the purchase of \$275,000* principal amount of General Obligation Bonds, Series 1997. No bid of less than the entire par value of the bonds and accrued interest to the date of . delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated November 1, 1997, and will become due on October 1 in the years as follows:

Maturity October 1	Principal Amount*
1998	\$20,000
1999	25,000
2000	25,000
2001	25,000
2002	25,000
2003	30,000
2004	30,000
2005	30,000
2006	30,000
2007	35,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 1998.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States, or a qualified surety bond, in the amount of \$5,500 (2) percent of the principal amount of the bonds).

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before November 10, 1997, at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation of the city for computation of bonded debt limitations for the year 1996 is \$15,131,484. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$1,775,000. Outstanding general obligation temporary notes of the city in the amount of \$317,900 will be redeemed from the proceeds of the bonds.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan, Riley, Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 544-8531, or from bond counsel, Logan, Riley, Carson, & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated October 9, 1997.

City of Hugoton, Kansas By Thomas G. Hicks **Hugoton City Hall** 114 E. 5th Hugoton, KS 67951 (316) 544-8531

*Principal amount subject to change. Doc. No. 019789

(Published in the Kansas Register October 16, 1997.)

Summary Notice of Bond Sale \$4,200,000

Greeley County, Kansas General Obligation Hospital Bonds, Series 1997

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated October 6, 1997, sealed bids will be received by the clerk of Greeley County, Kansas (the issuer), on behalf of the governing body at Greeley County Courthouse, P.O. Box 277, Tribune, KS 67879, until 1 p.m. (Mountain Standard Time) October 27, 1997, for the purchase of \$4,200,000 principal amount of General Obligation Hospital Bonds, Series 1997. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated November 1, 1997, and will become due on November 1 in the years as follows:

Year			Principal Amount
1999	,		\$195,000
2000		, ·	205,000
2001			215,000
2002		,	225,000
2003			235,000
2004			250,000

(continued)

2005	260,000
2006	275,000
2007	290,000
2008	300,000
2009	315,000
2010	335,000
2011	350,000
2012	365,000
2013	385,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning May 1, 1998.

Optional Book-Entry-Only System

The successful bidder may *elect* to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, or a qualified financial surety bond, in the amount of \$84,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before November 11, 1997, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$28,789,843. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$4,590,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 376-4256, or from the financial advisor, Stifel, Nicolaus & Company, Inc., 250 N. Water, Suite 100, Wichita, KS 67202, Attention: Patricia A. Hinojos, (316) 264-6321.

Dated October 6, 1997.

Greeley County, Kansas

Doc. No. 019793

State of Kansas

Real Estate Commission

Temporary Administrative Regulations

Article 1.—EXAMINATION AND REGISTRATION

86-1-3. Expiration of licenses. (a) Except for a temporary salesperson's license, the expiration date of each license shall be determined by the first letter of the licensee's last name, as established in the following chart:

	First letter of last name:	Expiration Date:
(1)	"B"	December 31 of each even-numbered year
(2)	"C"	February 28 of each odd-numbered year
(3)	"D" and "E"	April 30 of each odd-numbered year
(4)	"F" and "G"	June 30 of each odd-numbered year
(5)	"H"	August 31 of each odd-numbered year
(6)	"I," "J," "K"	
	and "L"	October 31 of each odd-numbered year
(7)	"M"	December 31 of each odd-numbered year
(8)	"N," "O," and	
ed s	"P"	February 28 of each even-numbered year
(9)	"Q" and "R" "S"	April 30 of each even-numbered year
(10)	"S"	June 30 of each even-numbered year
(11)	"T," "U" and	
	"V"	August 31 of each even-numbered year
(12)	"W,", "X," "Y,"	
	"Z" and "A"	October 31 of each even-numbered year

- (b) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 58-3045(a), as amended by 1997 H.B. 2264, Sec. 7; effective Jan. 1, 1966; amended, E-73-30, Sept. 28, 1973; amended Jan. 1, 1974; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended, T-86-10-1-97, Oct. 1, 1997.)
- **86-1-5.** Fees. (a) Each applicant shall pay a fee in an amount equal to the actual cost of the examination and the administration of the examination to the testing service designated by the commission.
- (b) Each applicant shall submit the following fees for licensure to the commission:
- (1) For submission of an application for an original salesperson's or broker's license, a fee of \$15;
- (2) for a temporary salesperson's license, a six-month fee of \$20:
- (3) for an original salesperson's license, a prorated fee based on a two-year amount of \$80;
- (4) for an original broker's license, a prorated fee based on a two-year amount of \$125;
- (5) for renewal of a salesperson's license, a two-year fee of \$80:
- (6) for renewal of a broker's license, a two-year fee of \$125:
- (7) for reinstatement of a license that has been deactivated or that has been canceled pursuant to K.S.A. 58-3047(d), and its amendments, or by reason of termination of a salesperson or associate broker, a fee of \$15;
- (8) for reinstatement of each license canceled pursuant to K.S.A. 58-3047(e), and its amendments, a fee of \$7,50;
 - (9) for a duplicate license, a fee of \$10; and

- (10) for certification of licensure to another jurisdiction, a fee of \$10.
- (c) Each applicant shall submit the following fees related to courses of instruction to the commission:
- (1) For approval of a course of instruction submitted by a course provider pursuant to K.S.A. 58-3046a, and its amendments, a fee of \$50;
- (2) for renewal of an approved course of instruction pursuant to K.S.A. 58-3046a, and its amendments, a fee of \$15; and
- (3) for approval of a course of instruction submitted by any licensee pursuant to subsection (j) of K.S.A. 58-3046a, and its amendments, a fee of \$10.
- (d) For each prorated fee, a monthly amount, rounded off to the nearest dollar, shall be established by the commission. In addition, the fee, from the last calendar day of the month in which the license is issued to the expiration date of the license, shall be computed by the commission.
- (e) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 58-3063, as amended by 1997 H.B. 2264, Sec. 15; effective Jan. 1, 1966; amended, E-73-30, Sept. 28, 1973; amended Jan. 1, 1974; amended, E-74-50, Sept. 13, 1974; amended May 1, 1975; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-10, May 1, 1985; amended May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended Sept. 26, 1988; amended July 31, 1991; amended Dec. 20, 1993; amended July 31, 1996; amended, T-86-10-1-97, Oct. 1, 1997.)
- 86-1-11. Minimum curricula and standards for course. (a) Each school offering a course approved by the commission under subsection (a) of K.S.A. 58-3046a, and its amendments, shall use a course syllabus provided by the commission and shall register the course under the title "Principles of Real Estate."
- (b) Each school offering a course approved by the commission under subsection (b) of K.S.A. 58-3046a, and its amendments, shall use a course syllabus provided by the commission and shall register the course under the title "Broker Pre-License Course."
- (c) The 12 hours of additional instruction required by subsection (c), paragraph (d)(2), paragraph (e)(2), paragraph (f)(2), and paragraph (f)(3) of K.S.A. 58-3046a, and its amendments, shall consist of courses approved by the commission.
- (1) The hours required for each renewal of a salesperson's or broker's license between January 1, 1996 and January 1, 1999 shall consist of at least three hours designated as mandatory core hours and not more than nine hours designated as elective hours.
- (2) The hours required for each renewal of a salesperson's license after January 1, 1999 shall consist of at least three hours designated as mandatory core hours and not more than nine hours designated as elective hours.
- (3) The hours required for each renewal of a broker's license after January 1, 1999 shall consist of at least six hours designated as mandatory core hours and not more than six hours designated as elective hours.

- (4) On and after January 1, 1994, each course approved by the commission shall be designated, at the discretion of the commission, as either meeting a mandatory core requirement or as elective hours.
- (5) Each school offering a course approved by the commission to meet the mandatory core requirement pursuant to paragraphs (1) or (2) above shall use a course outline provided by the commission and shall register the course under the title "Required Salesperson Core."
- (6) Each school offering a course approved by the commission to meet the mandatory core requirement pursuant to paragraph (3) above shall use a course syllabus provided by the commission and shall register such course under the title "Required Broker Core."
- (7) Each salesperson shall meet the mandatory core requirement pursuant to paragraphs (1) or (2) above by taking any course designated by the commission as meeting a mandatory core requirement.
- (8) Each broker shall meet the mandatory core requirement pursuant to paragraph (1) above by taking any course designated by the commission as meeting a mandatory core requirement and shall meet the mandatory core requirement pursuant to paragraph (3) by taking the course entitled "Required Broker Core."
- (9) Credit given to any licensee for a course submitted by the licensee pursuant to subsection (j) of K.S.A. 58-3046a, and its amendments, shall be designated by the commission as either meeting a mandatory core requirement or as elective hours.
- (10) Any nonresident of Kansas may receive credit as elective hours for courses approved by the commission of the nonresident's state of residence. A nonresident may receive credit for a mandatory core requirement only for courses approved by the commission pursuant to this regulation.
- (11) Each approved course shall have a total instruction time of no fewer than three hours.
- (12) Any licensee may receive a maximum of three hours credit during any renewal period for real estate appraisal courses designated as such by the commission and taken after January 1, 1992.
- (d) Instruction required by paragraph (d)(1) of K.S.A. 58-3046a, and its amendments, shall include 30 hours of instruction designated by the commission as required hours and 20 hours elected by the licensee from courses approved by the commission pursuant to subsection (c) of this regulation.
- (e) The 30 hours of instruction designated as required hours under subsection (d) of this regulation and the 30 hours of instruction required by paragraph (e)(1) and paragraph (f)(1) of K.S.A. 58-3046a, and its amendments, shall consist of a course registered under the title "Salesperson's Post-License Course," and any school offering the course shall use a course syllabus provided by the
- (f) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 1996 Supp. 58-3046a, as amended by 1997 H.B. 2264, Sec. 10; effective, T-86-31, Sept. 24, 1985; effective May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended (continued)

May 1, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended Nov. 18, 1991; amended Dec. 20, 1993; amended Dec. 29, 1995; amended Jan. 1, 1997; amended, T-86-10-1-97, Oct. 1, 1997.)

Article 2.—AUTHORITY OF COMMISSION; PROCEDURE

86-2-8. Examination of records. (a) All documents and records delineated in the Kansas real estate brokers' and salespersons' license act and the brokerage relationships in real estate transactions act and their accompanying regulations shall be examined by the commission or designated agents or employees of the commission at least once every five years, but no more than twice during any 12-month period beginning on July 1.

(b) Examination of records shall be made between the hours of 8:00 a.m. and 6:00 p.m., unless otherwise agreed

by all interested persons or entities.

(c) Examinations shall be conducted by commission members, the director of the commission, or employees of the commission.

- (d) Examination and inspection of a licensee's records or a group of licensees' records may be authorized by the commission or its director.
- (e) The authorized examination may be conducted without notice to the licensee.
- (f) This regulation shall not restrict the frequency of examinations that may be conducted to investigate a specific complaint filed with the commission. Such an examination may be authorized by the commission or its director at any time, but shall be limited as follows.

(1) Only those documents subject to the recordkeeping requirements of the acts specified in subsection (a) above and their accompanying regulations shall be examined.

(2) Examinations shall be made only between the hours of 8:00 a.m. and 6:00 p.m., unless otherwise agreed by all interested persons or entities.

(3) Examinations may be conducted by commission members, the director of the commission, or employees

of the commission.

(4) The authorization for such examination of records may be made by either the commission or its director. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 58-3061 and K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; effective Sept. 12, 1994; amended, T-86-10-1-97, Oct. 1, 1997.)

Article 3.—PERSONS HOLDING LICENSES; DUTIES

. 86-3-25. (Authorized by and implementing K.S.A. 1995 Supp. 58-30,110, as amended by 1996 SB 710, § 18; effective Nov. 17, 1995; amended Sept. 13, 1996; revoked, T-86-10-1-97, Oct. 1, 1997.)

86-3-26. Real estate brokerage relationships brochure. As required by K.S.A. 58-30,110, and amendments thereto, each licensee shall give any prospective buyer or seller a brochure entitled "Real estate brokerage relationships." Each brokerage firm may either obtain a copy of this brochure from the commission for reproduction and use by its affiliated licensees or design a brochure that

contains the minimum information contained in subsections (a), (b), (c), and (d). If a brokerage firm designs its own "Real estate brokerage relationships" brochure, the brochure may be in a format determined by the brokerage firm and may include the company name, company logo, and an explanation of the firm's brokerage relationships policy.

(a) Seller's agent. The seller's agent represents the seller only, so the buyer may be either unrepresented or

represented by another agent.

(1) The seller's agent is responsible for performing the following duties:

(A) Promoting the interests of the seller with the utmost good faith, loyalty, and fidelity,

(B) protecting the seller's confidences, unless disclosure is required;

(C) presenting all offers in a timely manner;

(D) advising the seller to obtain expert advice;

(E) accounting for all money and property received;

(F) disclosing to the seller all adverse material facts about the buyer that the agent knows; and

(G) disclosing to the buyer all adverse material facts actually known by the agent, including the following:

(i) Environmental hazards affecting the property that are required to be disclosed;

(ii) the physical condition of the property;

(iii) any material defects in the property or in the title to the property; and

(iv) any material limitation on the seller's ability to complete the contract.

(2) The seller's agent has no duty to perform the folowing:

(A) Conduct an independent inspection of the property for the benefit of the buyer; or

(B) independently verify the accuracy or completeness of any statement by the seller or any qualified third party.

(b) Buyer's agent. The buyer's agent represents the buyer only, so the seller may be either unrepresented or represented by another agent.

(1) The buyer's agent is responsible for performing the

following duties:

(A) Promoting the interests of the buyer with the utmost good faith, loyalty, and fidelity;

(B) protecting the buyer's confidences, unless disclosure is required;

(C) presenting all offers in a timely manner;

(D) advising the buyer to obtain expert advice;

(E) accounting for all money and property received;

(F) disclosing to the buyer all adverse material facts that the agent knows; and

- (G) disclosing to the seller all adverse material facts actually known by the agent, including all material facts concerning the buyer's financial ability to perform the terms of the transaction.
- (2) The buyer's agent has no duty to perform the following:

(A) Conduct an independent investigation of the buyer's financial condition for the benefit of the seller, or

(B) independently verify the accuracy or completeness of statements made by the buyer or any qualified third party.

(c) Transaction broker. The transaction broker is not an agent for either party, so the transaction broker does not advocate the interests of either party.

(1) The transaction broker is responsible for perform-

ing the following duties:

(A) Protecting the confidences of both parties, including the following information:

(i) the fact that a buyer is willing to pay more;(ii) the fact that a seller is willing to accept less;

(iii) the factors that are motivating any party;

(iv) the fact that a party will agree to different financing terms; and

(v) any information or personal confidences about a party that might place the other party at an advantage;

(B) exercising reasonable skill and care;

(C) presenting all offers in a timely manner;

- (D) advising the parties regarding the transaction;
- (E) suggesting that the parties obtain expert advice;(F) accounting for all money and property received;

(G) keeping the parties fully informed;

(H) assisting the parties in closing the transaction;

(I) disclosing to the buyer all adverse material facts actually known by the transaction broker, including the following:

(i) environmental hazards affecting the property that

are required to be disclosed;

(ii) the physical condition of the property;

(iii) any material defects in the property or in the title to the property; and

(iv) any material limitations on the seller's ability to

complete the contract; and

- (J) disclosing to the seller all adverse material facts actually known by the transaction broker, including all material facts concerning the buyer's financial ability to perform the terms of the transaction.
- (2) The transaction broker has no duty to perform any of the following:
- (A) conduct an independent inspection of the property for the benefit of any party;
- (B) conduct an independent investigation of the buyer's financial condition; or
- (C) independently verify the accuracy or completeness of statements by the seller, buyer, or any qualified third party.

(d) Statement of representation. The following statement, in bold-faced type, shall be included in the brochure.

"Do not assume that an agent is acting on your behalf, unless you have signed a contract with the agent's firm to represent you. As a customer, you represent yourself. Any information that you, the customer, disclose to the agent representing another party will be disclosed to that other party. Even though licensees may be representing other parties, they are obligated to treat you honestly, give you accurate information, and disclose all known adverse material facts."

(e) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 1996 Supp. 58-30,110(a)(1), as amended by 1997 H.B. 2264, Sec. 40; effective, T-86-10-1-97, Oct. 1, 1997.)

86-3-27. Transaction broker addendum. (a) Each broker shall use a transaction broker addendum form (TBA-RES) approved by the commission on April 10, 1997, which is hereby adopted by reference, to obtain the informed consent of a seller client and a buyer client for the broker to act as a transaction broker, on a contemplated transaction between the buyer and the seller, for the sale of a residential property of four or fewer units.

(b) Each broker shall use a transaction broker addendum form (TBA-COMM) approved by the commission on April 10, 1997, which is hereby adopted by reference, to obtain the informed consent of a seller client and a buyer client for the broker to act as a transaction broker, on a contemplated transaction between the buyer and seller, for the sale or lease of commercial property or the sale of

residential property of more than four units.

(c) Each broker shall use a transaction broker addendum form (TBA-AG) approved by the commission on August 14, 1997, which is hereby adopted by reference, to obtain the informed consent of a seller client and a buyer client for the broker to act as a transaction broker, on a contemplated transaction between the buyer and seller, for the sale of agricultural land.

(d) Each broker shall use a transaction broker addendum form (TBA-DA) approved by the commission on April 10, 1997, which is hereby adopted by reference, to obtain the informed consent of a seller client and a buyer client for a designated agent to act as a transaction broker, on a contemplated transaction between the buyer and

seller

(e) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 1996 Supp. 58-30,109(a) and 58-30,109(b)(6), as amended by 1997 H.B. 2264, Sec. 38; effective, T-86-10-1-97, Oct. 1. 1997.)

86-3-28. Buyer's or tenant's consent. (a) Before negotiating directly with a buyer or tenant who has an agency agreement granting exclusive representation to another broker, any seller's or landlord's agent shall obtain the buyer's or tenant's signature on a "buyer's or tenant's consent to direct negotiation with seller's or landlord's agent" form approved by the commission on April 10, 1997, which is hereby adopted by reference.

(b) Before initiating a contract with a buyer who has an agency agreement granting exclusive representation to another broker, any transaction broker shall obtain the buyer's signature on a "buyer's consent to initiate a contract with a transaction broker engaged by a seller" form approved by the commission on September 10, 1997,

which is hereby adopted by reference.

(c) This regulation shall take effect on and after October 1, 1997. (Authorized by K.S.A. 1996 Supp. 74-4202(b), as amended by 1997 H.B. 2264, Sec. 46; implementing K.S.A. 1996 Supp. 58-30,103(o), as amended by H.B. 2264, Sec. 27; effective, T-86-10-1-97, Oct. 1, 1997.)

Jean Duncan Director

Board of Emergency Medical Services

Permanent Administrative Regulations

Article 6.—TEMPORARY CERTIFICATION

109-6-2. Renewal of attendant and instructor/coordinator certificate. (a) Each attendant certificate and instructor/coordinator certificate shall expire on December 31 of the year following the date of initial issuance or the last renewal, unless the agency receives a sufficient application for renewal on or before January 31 immediately following expiration.

(b) An application for renewal shall be considered suf-

ficient when these requirements are met:

(1) the information requested on the application form is provided in full, and no additional information is required by the agency to complete the processing of the

application; and

(2) a money order, cashier's check, or an institutional check in the amount of the renewal fee prescribed by the board is included with the application. "Institutional check" means a negotiable instrument, warrant, payment voucher, or purchase order from an ambulance service, fire department, or municipality, as defined at K.S.A. 65-6112 and amendments.

(c) All applications for certification renewal shall be submitted on the original form provided by the administrator. Copies, facsimiles, electronic filings, or other re-

productions shall not be accepted.

(d) If the agency receives a sufficient application for renewal before January 31, the existing certificate shall not expire until the agency has taken final action upon the renewal application, or if the agency's action is unfavorable, until the last day for seeking judicial review of the agency's action or a later date fixed by the reviewing court.

(e) If no renewal application is received on or before January 31 immediately following expiration, or if the application is received on or before January 31 but is not

sufficient, the existing certificate shall be void.

(f) Upon receipt of an insufficient renewal application, the applicant shall be notified by the agency of any deficiencies. However, if the applicant fails to correct the deficiencies on or before January 31, the existing certificate shall become void. Each corrected application for renewal shall be received by the agency no later than January 31. (Authorized by and implementing K.S.A. 1995 Supp. 65-6129 and K.S.A. 65-6129b; effective Nov. 1, 1996; amended Oct. 31, 1997.)

Bob McDaneld Administrator

Doc. No. 019769

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has received and reviewed a request to expand the Haskell County municipal solid waste landfill, located in Section 33, Township 29S, Range 32W, northeast of Sublette. The landfill's current area is approximately 13 acres, and the proposed expansion would add a 3-acre tract east of the existing landfill. KDHE is providing public notice of its intent to issue an amended municipal solid waste landfill permit to Haskell County that increases the permitted area. As a condition of the amended permit, the county is required to modify environmental monitoring procedures, update operation and closure plans, and file a restrictive covenant. Once this information is submitted and approved, the requirements of new state and federal regulations for small arid landfills, which became effective October 9, 1997, will be fulfilled.

A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review through Monday, November 17, during normal business hours, Monday

through Friday, at the following locations:

Kansas Department of Health and Environment Permits Section Bureau of Waste Management Forbes Field, Building 740 Topeka, 66620 Contact: Phil Rosewicz (785) 296-1594

Haskell County Courthouse 300 Inman P.O. Box 518 Sublette, 67877 Contact: Suwayne Williams, County Clerk (316) 675-2263

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than November 17 to Phil Rosewicz (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the amended permit. Notice of the decision will be given to the applicant, to anyone who submitted written comments during the comment period, and to those who requested notice of the final permit decision.

Gary R. Mitchell Secretary of Health and Environment

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is proposing to issue a five-year permit to the following facilities pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and to implement regulations found at 40 CFR Parts 72 through 78. The effective date of the permit is January 1, 2000 through December 31,

Each sulfur dioxide (SO₂) allowance authorizes the utility boiler to emit up to one ton of SO, during or after each of the years specified above. All facilities propose to comply with the Acid Rain Program emission requirements by holding enough allowances to cover all sulfur dioxide emissions. Issuance of this permit will not affect the responsibility of the facility to meet all other existing local, state and federal emission requirements.

All coal-fired units must comply with the Acid Rain Program nitrogen oxides (NOx) emission requirements by not exceeding the Phase I (if an early elect unit (*) or a Phase I unit (^)) or Phase II emission limitation. All coalfired Phase II facilities that have not committed to a NOx emission limitation will have their permits reopened prior to January 1, 1999, to incorporate the NOx emission limitation.

Facility:

East 12th Street

2801 E. 12th

Winfield, KS 67156

Owner/Operator:

City of Winfield

200 E. 9th

Winfield, KS 67156

Designated Rep.: Kenneth Arnold

Unit ID:

SO, Allowances: 10

N/A **NOx limits:**

SCDO District Office:

Facility:

Hutchinson Energy Center

3200 E. 30th

Hutchinson, KS 67502

Owner/Operator: Western Resources, Inc.

P.O. Box 889

Topeka, KS 66601

Units ID:

Designated Rep.: Richard Haden 1, 2, 3 & 4

SO, Allowances:

0, 0, 0 & 18

NOx limits:

N/A

District Office:

SCDO

Facility:

McPherson Power Plant #3

1486 17th Ave.

McPherson, KS 67460

Owner/Operator:

McPherson Board of Public Utilities

400 E. Kansas

McPherson, KS 67460

Designated Rep.: Rick Anderson Unit ID:

SO, Allowances:

NOx limits:

N/A

District Office:

NCDO

Facility: McPherson Power Plant #2

1128 W. Ave. A

McPherson, KS 67460

McPherson Board of Public Utilities Owner/Operator:

400 E. Kansas

McPherson, KS 67460

Designated Rep.: Rick Anderson

Unit ID:

SO₂ Allowances: N/A NOx limits:

District Office: NCDO

Facility:

Garden City Station 2075 W. St. John

Garden City, KS 67846

Sunflower Electric Power Corporation Owner/Operator:

P.O. Box 980

Hays, KS 67601 Wayne Penrod

Designated Rep.: Unit ID:

S₂ 0

SO, Allowances: NOx limits:

N/A

District Office:

SWDO

Facility: Holcomb Station, #1 Holcomb Lane

Holcomb, KS

Sunflower Electric Power Corporation Owner/Operator:

> P.O. Box 980 Hays, KS 67601

Designated Rep.:

Wayne Penrod SGÚ1

Unit ID: SO, Allowances:

3977

0.46 lb/mmBtu NOx limits:

District Office: **SWDO**

Facility: **Judson Large Station**

11453 Fort Dodge Road

Dodge City, KS

Owner/Operator: WestPlains Energy (Division of

UtiliCorp United) 105 Victoria Ave.

Pueblo, CO 81002 Bos Holzwarth Designated Rep.:

Unit ID:

SO. Allowances: 39 **NOx limits:** N/A

District Office:

SWDO

Cimarron River Station Facility:

S23, T33S, R32W

Liberal, KS

WestPlains Energy (Division of Owner/Operator:

UtiliCorp United) 105 Victoria Ave. Pueblo, CO 81002

Designated Rep.: Bob Holzwarth

Unit ID: SO, Allowances:

12

NOx limits: **District Office:** N/A **SWDO**

Facility:

Arthur Mullergren Station K-96 at N.W. 50th Ave.

Great Bend, KS

Owner/Operator: WestPlains Energy (Division of

UtiliCorp United) 105 Victoria Ave.

Pueblo, CO 81002

(continued)

Kansas Register Designated Rep.: Bob Holzwarth Facility: Kaw Power Station Unit ID: 2015 Kansas Ave. SO₂ Allowances: Kansas City, KS NOx limits: N/A Owner/Operator: Kansas City, Kansas, Board of **District Office: NWDO Public Utilities** 700 Minnesota Ave. Facility: Kaw Power Station Kansas City, KS 66101 2015 Kansas Ave. Designated Rep.: Lawrence Adair Kansas City, KS Unit ID: 1,2 & 3 Kansas City, Kansas, Board of Owner/Operator: SO, Allowances: 780, 613 & 512 Public Utilities NOx limits: 0.84, 0.85 & 0.86 lb/mmBtu 700 Minnesota Ave. Local Agency: **WCHD** Kansas City, KS 66101 Designated Rep.: Lawrence Adair Facility: Coffeyville Municipal Light & Power-Unit ID: 1,2 & 3 605 Santa Fe SO₂ Allowances: 780, 613 & 512 Coffeyville, KS 67337 **NOx limits:** 0.84, 0.84, & 0.86 lb/mmBtu Owner/Operator: Coffeyville Municipal Light & Power Local Agency: WCHD P.O. Box 1629 Coffeyville, KS 67337 Facility: Quindaro Power Station Designated Rep.: Ron Sandusky 3601 N. 12th Unit ID: Kansas City, KS SO₂ Allowances: 11 Kansas City, Kansas, Board of Owner/Operator: **NOx limits:** N/A **Public Utilities District Office: SEDO** 700 Minnesota Ave. Kansas City, KS 66101 Neosho Energy Center Facility: Designated Rep.: Lawrence Adair S33, T31S, R21E Unit ID: 1 & 2 Parsons, KS 67357 SO₂ Allowances: 2014 & 2061 Owner/Operator: Western Resources, Inc. NOx limits: 0.86 & 0.50 lb/mmBtu P.O. Box 889 Local Agency: **WCHD** Topeka, KS 66601 Designated Rep.: Richard Haden Facility: **Nearman Power Station** Unit ID: 4240 N. 55th SO₂ Allowances: 13 Kansas City, KS **NOx limits:** N/A Owner/Operator: Kansas City, Kansas, Board of **District Office: SEDO** Public Utilities 700 Minnesota Ave. Facility: Lawrence Energy Center Kansas City, KS 66101 1250 N. 1800 Road Designated Rep.: Lawrence Adair Lawrence, KS 66044 Unit ID: N₁ Western Resources, Inc. Owner/Operator: SO₂ Allowances: 6872 P.O. Box 889 NOx limits: 0.50* lb/mmBtu Topeka, KS 66601 Local Agency: WCHD Designated Rep.: Richard Haden Unit ID: 2, 3, 4 & 5 Facility: Riverton Power Station SO, Allowances: 2, 2143, 1811 & 5346 Highway 66 NOx limits: Add NOx limit by 1/1/99 Riverton, KS **District Office: NEDO** Owner/Operator: **Empire District Electric Company** P.O. Box 127 Facility: Jeffrey Energy Center Joplin, MO 64802 25905 Jeffrey Road Designated Rep.: Virgil Brill St. Marys, KS 66536 Unit ID: 39 & 40 Owner/Operator: Western Resources, Inc. SO₂ Allowances: 1030 & 1749 P.O. Box 889 **NOx limits:** 0.50* & 0.45* lb/mmBtu Topeka, KS 66601 **District Office: SEDO** Designated Rep.: Richard Haden Units ID: 1,2 & 3 Facility: LaCygne Generating Station SO₂ Allowances: 16969, 17934 & 20460 Route 1, Box 60 NOx limits: Add NOx limit by 1/1/99 LaCygne, KS **District Office: NEDO** Owner/Operator: Kansas City Power & Light Company P.O. Box 418679 **Facility:** Tecumseh Energy Center Kansas City, MO 64141 S31, T11S, R17E

Tecumseh, KS 66542

Owner/Operator: Western Resources, Inc. P.O. Box 889

Topeka, KS 66601 Designated Rep.: Richard Haden

District Office:

Add NOx limit by 1/1/99

SO₂ Allowances: 17824 & 14933 **NOx limits:**

1 & 2

Designated Rep.: Marcus Jackson

Vol. 16, No. 42, October 16, 1997

Unit ID:

Unit ID: 9 & 10 SO₂ Allowances: 2248 & 3905

NOx limits: Add NOx limit by 1/1/99

Local Agency: SCHA

Facility: Gordon Evans Energy Center

6001 N. 151st St. West Colwich, KS 67030

Owner/Operator: Western Resources, Inc.

P.O. Box 889 Topeka, KS 66601

Designated Rep.: Richard Haden

Unit ID: 1 & 2 SO₂ Allowances: 64 & 25 NOx limits: N/A Local Agency: W-SCDCH

Facility: Murray Gill Energy Center

6100 W. 55th St.

South Wichita, KS 67215

Owner/Operator: Western Resources, Inc. P.O. Box 889

Topeka, KS 66601

Designated Rep.: Richard Haden

Unit ID: 1, 2, 3 & 4

SO₂ Allowances: 1, 5, 50 & 62

NOx limits: N/A Local Agency: W-SCDCH

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620, and at the district office or local agency listed for that source. Below is a listing of the district offices and local agencies and a contact person:

 South Central District Office (SCDO), 130 S. Market, 6th floor, Wichita, KS 67202
 Contact Person: Dave Butler, (316) 337-6020

 North Central District Office (NCDO), 2501 Market. Place, Suite D, Salina, KS 67401 Contact Person: Rick Brunetti, (785) 827-9639

 Southwest District Office (SWDO), 302 W. McArtor Road, Dodge City, KS 67801

Contact Person: Wayne Neese, (316) 225-0596

• Northwest Distric. Office (NWDO), 2301 E. 13th, Hays, KS 67601

Contact Person: Rick Robinson, (785) 625-5663
Wyandotte County Health Department (WCHD), 619 Ann Ave., Kansas City, KS 66101

Contact Person: Bruce Anderson, (913) 573-6700

 Southeast District Office (SEDO), 1500 W. 7th, Chanute, KS 66720

Contact Person: Lynn Rana argar, (316) 431-2390

Northeast District Office (NEDO), 800 W. 24th,

Lawrence, KS 66046 Contact Person: Pat Simpson, (785) 842-4600

Shawnee County Health Agency (SCHA), 1615 W.
 8th, Topeka, KS 66601
 Contact Person: Shane Burnett, (785) 223-8200

Wichita-Sedgwick County Department of Community Health (W-SCDCH), 1900 E. 9th, Wichita, KS 67214

Contact Person: John Stark, (316) 268-8449

To obtain or review the proposed permit and supporting documentation, contact Rick Bolfing, (785) 296-1576, at the KDHE central office, or the appropriate district office or local agency personnel. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfing, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 17 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on any of the proposed permits. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, KDHE, Bureau of Air and Radiation, not later than the close of business November 17 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell Secretary of Health and Environment

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